



1/1626

CASE EL/2-22992/A/PCT

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Andrea Deleech's
Type or print name

Andrea Deleech
Signature

4/30/09
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PCT NATIONAL STAGE APPLICATION OF
JONATHAN ROGERS ET AL.

Group Art Unit: 1626
Examiner: SUSANNAH LEE
CHUNG

INTERNATIONAL APPLICATION NO. PCT/EP
2004/053111

FILED: November 26, 2004

FOR: ELECTROLUMINESCENT DEVICE

U.S. APPLICATION NO: 10/581,398

35 USC 371 DATE: JUNE 1, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Sir:

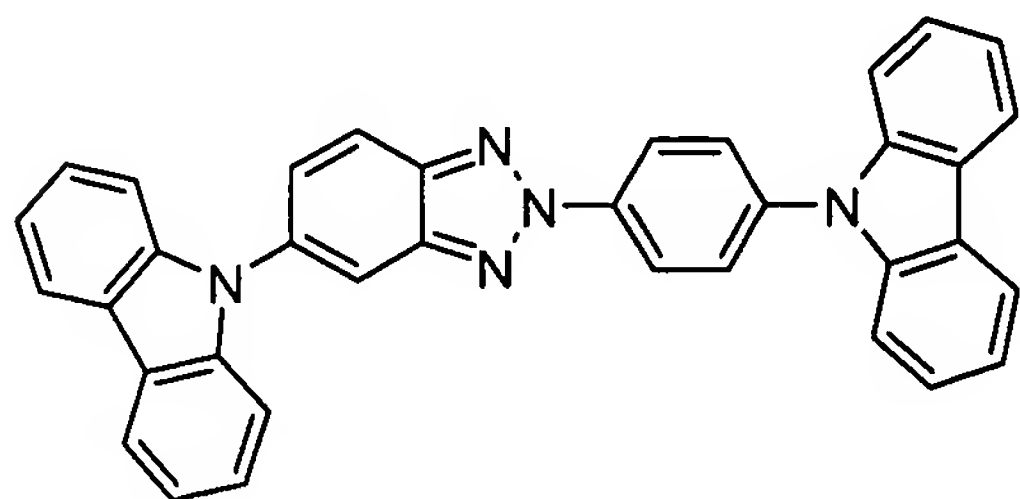
In response to the Office Action requiring restriction dated March 31, 2009, the following remarks are respectfully submitted for entry and consideration. The Action set a 1 month shortened statutory period for response, making this paper due April 30, 2009. This paper is timely filed.

The Commissioner is hereby authorized to charge any necessary fee or credit any overpayment to Deposit Account No. 03-1935.

The Examiner has asked Applicants to elect a single invention from the following:
 Group I - Claims 1-9 and 14-18, drawn to compounds of formula I or II; and
 Group II - Claims 10-13 drawn to an electroluminescent device using a compound of formula I or II.

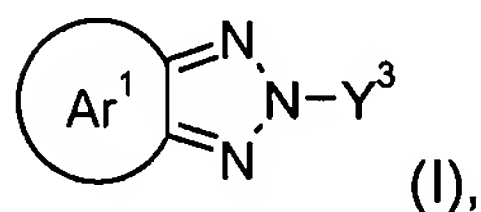
Applicants hereby elect, without traverse, Group II, Claims 10-13 drawn to an electroluminescent device using a compound of formula I or II.

The Action also asks that Applicants elect a single species for search purposes. Applicants hereby elect the compound B-9 of example 6, pages 58-59 of the instant Specification,

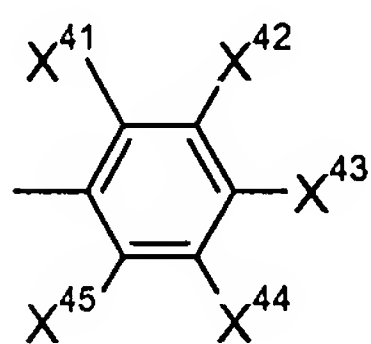


that is,

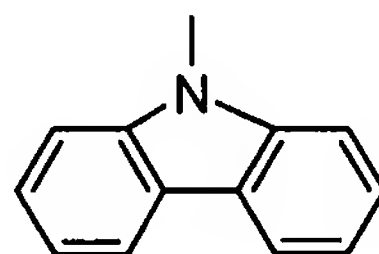
a compound of formula I according to claim 1



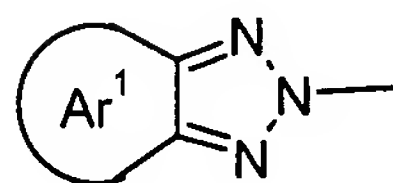
wherein Y³ is C₆-C₃₀aryl which is substituted, more specifically Y³ is a group of formula



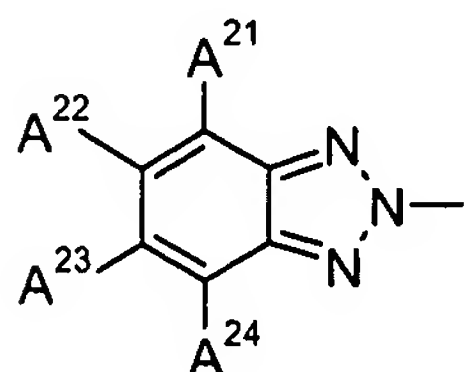
wherein X⁴³ is a group of formula



(see claim 4), and

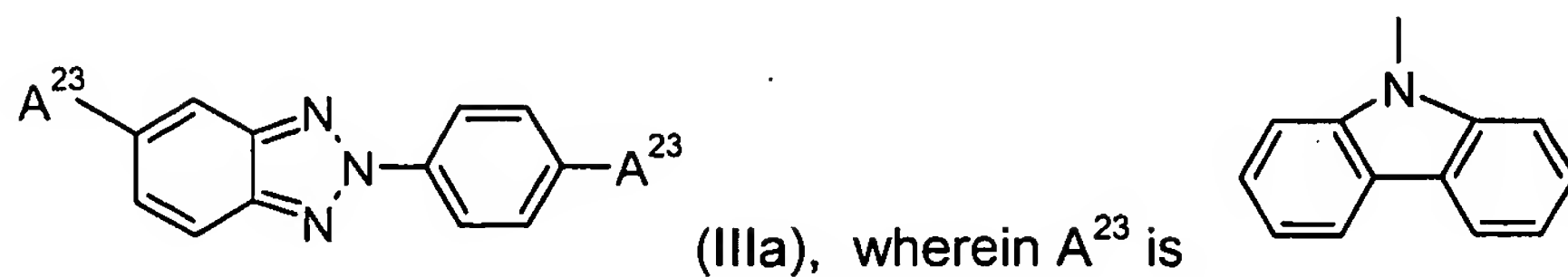


is group of formula



wherein A²³ is C₂-C₂₀heteroaryl.

More specifically, the elected compound is a compound according to formula IIIa, see Claim 8,



The elected compound is encompassed by the devices of claims 10, 11, 12 and 13.

Consideration of the elected claims on their merits is respectfully awaited.

Respectfully submitted,

Joseph C. Suhadolnik
Agent for Applicants
Reg. No. 56,880
filed under 37 CFR 1.34(a)

Ciba Specialty Chemicals Corporation
Patent Department
540 White Plains Road
P.O. Box 2005
Tarrytown, NY 10591-9005
Tel. (914) 785-2973
Fax (914) 785-7102